

Attorney Docket: 27391U

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U.S. Department Of Commerce, Patent And Trademark Office		Date: June 2006 (:06:2006)
Transmittal Letter To The United States Designated/Elected Office (DO/EO/US) Concerning A Filing Under 35 U.S.C. 371		U.S. Application No.: (if known, No. Yes, Assigned) 10/582499
International Application No.: PCT/EP2004/053495	International Filing Date: 15 December 2004 (15.12.2004)	Priority Date Claimed: 16 December 2003 (16:12:2003) EP
Title of Invention: AQUEOUS SUSPENSIONS OF CICLSONIDE FOR NEBULISATION		
Applicants for DO/EO/US: BRUECK-SCHEFFLER, ANTJE		
<p>Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 USC 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. <input checked="" type="checkbox"/> The US has been elected (Article 31). <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)): <ol style="list-style-type: none"> <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). <input type="checkbox"/> has been communicated by the International Bureau. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) <input type="checkbox"/> An English translation of the International Application as filed (35 U.S.C. 371(c)(2)). <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau). <input type="checkbox"/> have been communicated by the International Bureau. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. <input checked="" type="checkbox"/> have not been made and will not be made. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). <p>ITEMS 11 TO 20 BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:</p> <ol style="list-style-type: none"> <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. <input checked="" type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment <input type="checkbox"/> A substitute specification. <input type="checkbox"/> A change of power of attorney and/or address letter. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 35 USC 1821 - 1825 <input type="checkbox"/> A second copy of the published international application under 35 USC 154(d)(4) <input type="checkbox"/> A second copy of the English language translation of the international application under 35 USC 154(d)(4) <input checked="" type="checkbox"/> Other items or information: TRANSMITTAL LETTER; APPLICATION DATA SHEET; INTERNATIONAL PUBLICATION NUMBER: WO 2005/058935 A2; INTERNATIONAL PUBLICATION DATE: 30 JUNE 2005 (30:06:2005), WHICH CONSISTS OF 22 PAGES: 1 PAGE FOR THE COVER SHEET, 16 PAGES OF TEXTUAL SPECIFICATION, 5 PAGES OF 41 CLAIMS, 0 SHEETS OF DRAWINGS; PRELIMINARY AMENDMENT WITH APPENDICES A, B AND C TO BE EXAMINED; EXECUTED DECLARATION AND POWER OF ATTORNEY; PCT/ISA/210 (INTERNATIONAL SEARCH REPORT); PCT/ISA/237 (WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY); PCT/IB/304 (NOTIFICATION CONCERNING SUBMISSION OR TRANSMITTAL OF PRIORITY DOCUMENT); PCT/IB/308 (SECOND AND SUPPLEMENTARY NOTICE INFORMING THE APPLICANT OF THE COMMUNICATION OF THE INTERNATIONAL APPLICATION); PCT/RO/101(PCT REQUEST); POSTCARD FOR EARLY NOTIFICATION OF THE SERIAL NUMBER REQUEST. 		

IAP12 Rec'd PCT/PTO 09 JUN 2006

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U.S. Application Number: (if known): Not Yet Assigned		International Application Number: PCT/EP2004/053495		Date: <u>9</u> June 2006 (<u>9</u> :06:2006)																																													
The following fees are submitted: 21. Basic National Fee (37 CFR 1.492(a))..... \$ 300.00 22. Examination Fee (37 CFR 1.492 (c)) If the written opinion prepared by ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)\$ 0.00 All other situations \$ 200.00 23. Search Fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$ 0.00 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$ 100.00 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB\$ 400.00 All other situations \$ 500.00 _____ Additional fee for specification and drawings filed in paper over 100 sheets (excluding Sequence listing or computer program listing filed in an electronic medium). The fee is \$ 250.00 for each additional 50 sheets of paper or fraction thereof. ENTER APPROPRIATE BASIC FEE AMOUNT =				CALCULATIONS \$ 300.00 \$ 200.00 \$ 400.00 \$ 900.00		PTO USE ONLY																																											
				Surcharge of \$130.00 for furnishing the oath or declaration later than _____ 20 _____ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$ 0.00																																											
<table border="1"> <thead> <tr> <th>CLAIMS</th> <th>NUMBER: FILED</th> <th>NUMBER: EXTRA</th> <th>RATE</th> </tr> </thead> <tbody> <tr> <td>TOTAL</td> <td>41-20=</td> <td>21</td> <td>X \$ 50.00</td> </tr> <tr> <td>INDEPENDENT</td> <td>5-3=</td> <td>2</td> <td>X \$ 200.00</td> </tr> <tr> <td colspan="3">Multiple dependent claims(s) (if applicable)</td> <td>+ \$360.00</td> </tr> <tr> <td colspan="3">TOTAL OF ABOVE CALCULATIONS =</td> <td>\$ 900.00</td> </tr> <tr> <td colspan="3">Reduction by 2 for asserting small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).</td> <td>\$ 0.00</td> </tr> <tr> <td colspan="3">SUBTOTAL =</td> <td>\$ 2350.00</td> </tr> <tr> <td colspan="3">Processing fee of \$130.00 for furnishing the English translation later than _____ 20 _____ 30 months from the earliest claimed priority date (37 CFR 1.492(f)). +</td> <td>\$ 0.00</td> </tr> <tr> <td colspan="3">TOTAL NATIONAL FEE =</td> <td>\$ 2350.00</td> </tr> <tr> <td colspan="3">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +</td> <td>\$ 0.00</td> </tr> <tr> <td colspan="3">TOTAL FEES ENCLOSED =</td> <td>\$ 2350.00</td> </tr> </tbody> </table>		CLAIMS	NUMBER: FILED	NUMBER: EXTRA	RATE	TOTAL	41-20=	21	X \$ 50.00	INDEPENDENT	5-3=	2	X \$ 200.00	Multiple dependent claims(s) (if applicable)			+ \$360.00	TOTAL OF ABOVE CALCULATIONS =			\$ 900.00	Reduction by 2 for asserting small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).			\$ 0.00	SUBTOTAL =			\$ 2350.00	Processing fee of \$130.00 for furnishing the English translation later than _____ 20 _____ 30 months from the earliest claimed priority date (37 CFR 1.492(f)). +			\$ 0.00	TOTAL NATIONAL FEE =			\$ 2350.00	Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +			\$ 0.00	TOTAL FEES ENCLOSED =			\$ 2350.00	Amount to be: refunded charged		\$ \$	
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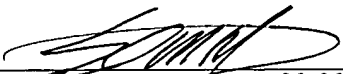
U.S. Application Number: (if known): Not Yet Assigned 10/582499	International Application Number: PCT/EP2004/053495	Date: <u>9</u> June 2006 (<u>9</u> :06:2006)
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- a. ☒ One check in the amount of \$ 2350.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account Number: 14-0112 in the amount of \$ _____ to cover the above fees. (A duplicate copy of this sheet is enclosed.)
- c. ☒ The Commissioner is hereby authorized to charge any additional fees, which may be required, or credit any overpayment to Deposit Account Number: 14-0112.
- d. ☐ Fees are to be charged to a credit card ☐ WARNING: Information on this form may become public ☐ Credit Card Information should not be included on this form.
☐ Provide credit card information and authorization on PTO-2038

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.

Send All Correspondence To:

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Sheldon M. McGee, Reg. No. 50,454
Customer No. 34375

IAP12 Rec'd PCT/PTO 09 JUN 2006

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Attorney Docket: 27391U

Date: June 9, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

BRUECK-SCHEFFLER

Serial No.: Not Yet Assigned

Filed: June 9, 2006

International Appl. No.: PCT/EP2004/053495

International Filing Date: 15 December 2004 (15.12.2004)

Title: AQUEOUS SUSPENSIONS OF CICLESONIDE FOR NEBULISATION

TRANSMITTAL LETTER

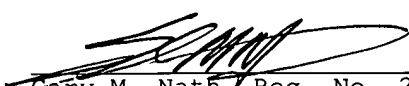
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- 1) Application Data Sheet;
- 2) Transmittal Letter to U.S. Designated/Elected Office (DO/EO/US) Concerning filing under 35 U.S.C. 371;
- 3) International Publication Number: WO 2005/058935 A2, International Publication Date: 30 June 2005 (30.06.2005), which consists of 22 pages:
 - 1 page for the Cover Sheet,
 - 16 pages of Textual Specification,
 - 5 pages of 41 Claims,
 - 0 sheets of Drawings;
- 4) Preliminary Amendment with Appendices A, B and C to be Examined;
- 5) Executed Declaration and Power of Attorney;
- 6) PCT/ISA/210 (International Search Report);
- 7) PCT/ISA/237 (Written Opinion of the International Searching Authority);
- 8) PCT/IB/304 (Notification Concerning Submission or Transmittal of Priority Document);
- 9) PCT/IB/308 (Second and Supplementary Notice Informing the Applicant of the Communication of the International Application);
- 10) PCT/RO/101(PCT Request);
- 11) Check No.: 2253 in the Amount of \$ 2350.00 for Basic Filing Fee, which includes Search and Examination Fees(\$900), 21 claims in excess of 20 (\$1050) and 2 independent claims in excess of 3(\$400), as a Large Entity;
- 12) Postcard for Early Notification of the Serial Number Request.

Respectfully submitted,
NATH & ASSOCIATES PLLC


Gary M. Nath, Reg. No. 26,965
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